

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MELANIE FLOYD,

Plaintiff,

-VS-

Case No. 22-cv-11209

Oakland County Case No. 2022-194048-NO

TARGET CORPORATION,

Defendant.

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THOMAS G. KRALL (P75303)  
Krall Law Offices, PLLC  
Attorney for Plaintiff  
26640 Harper Ave.  
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(586) 299-1300  
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KENNETH P. WILLIAMS (P55790)  
SEGAL MCCAMBRIDGE SINGER &  
MAHONEY  
Attorney for Defendant, Target  
29100 Northwestern Hwy., Suite 240  
Southfield, MI 48034  
(248) 994-0060 | (248) 994-0061 (fax)  
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**NOTICE OF REMOVAL**

TO: The United States District Court, Eastern District of Michigan,  
Southern Division

NOW COMES the Defendant, TARGET CORPORATION, a Minnesota Corporation, by and through its attorneys, SEGAL McCAMBRIDGE SINGER & MAHONEY, and hereby removes this action and gives notice to Plaintiff of the removal of this action from the Circuit Court of the State of Michigan, County of

Oakland, to the United States District Court for the Eastern District of Michigan, Southern Division, and respectfully shows unto this Court as follows:

1. That TARGET CORPORATION is the only Defendant in a civil action brought against it in the Circuit Court for the County of Oakland, State of Michigan, entitled “MELANIE FLOYD, Plaintiff v. TARGET CORPORATION, Defendant,” Case No: 2022-194048-NO, and that attached hereto are **Exhibit 1**, Summons and Complaint; **Exhibit 2**, Appearance, Answer to Complaint, Affirmative Defenses, and Reliance on Jury Demand; **Exhibit 3**, Plaintiff’s Expert Witness, Lay Witness, & Exhibit List; **Exhibit 4**, Plaintiff’s Initial Disclosure; **Exhibit 5**, Plaintiff’s First Set of Interrogatories and Requests to Produce Documents Directed to Defendant; and **Exhibit 6**, Plaintiff’s First Set of Requests to Admit Directed to Defendant Target, and constitute all process and pleadings served by and upon the parties in such action; and that no further proceedings have been had therein.

2. That the above-captioned action is a civil action over which this Court has original jurisdiction under the provisions of Title 28, United States Code, Section 1332(a) and is one which may be removed to this Court by the petitioner, Defendant herein, pursuant to the provisions of Title 28, United States Code, Section 1441(a), in that it is a civil action wherein the Plaintiff claims damages in an amount in excess of \$500,000.00 (**Exhibit 4**), exclusive of interest, costs and attorney fees, by virtue of the claim for damages due to the injuries to Plaintiff sustained, i.e. a fractured

wrist, claimed to be due to the alleged incident at the Target store in this case located at 30020 Grand River Avenue, Farmington Hills, MI 48336-4722, together with the claim of medical expenses and future medical expenses.

3. That this notice of removal is filed in a timely and proper manner inasmuch as this notice of removal is filed within one (1) year of the filing of the lawsuit on May 10, 2022. 28 USC 1446(b)(3).

4. Where the state court rule provides that a plaintiff may not aver a specific amount for unliquidated damages, the defendant may remove the case upon receipt of a paper relating to the amount in controversy by which it is first ascertained that the case is or has become removable. 28 USC 1446(c)(2)(A)(ii), (3)(A). Michigan is a state that prohibits a specific amount being demanded for unliquidated damages such as the injury to Plaintiff's wrist. MCR 2.111(B)(2).

5. That further, this matter may be removed to federal court on the basis of diversity of citizenship under Title 28, United States Code, Section 1332(a)(1) in that Plaintiff, MELANIE FLOYD, is a resident and citizen of the County of Oakland, Michigan, and Defendant is a Minnesota corporation with its principal place of business in Minneapolis, Minnesota, and is not a citizen of the State of Michigan in that it is neither incorporated in, nor has its principal place of business in, the State of Michigan.

WHEREFORE, Defendant gives notice that the above action now pending against it in the Circuit Court of the County of Oakland, State of Michigan is removed therefrom to this Court.

SEGAL McCAMBRIDGE SINGER &  
MAHONEY

By: /s/ Kenneth P. Williams

KENNETH P. WILLIAMS (P55790)

Attorney for Defendant

29100 Northwestern Hwy., Suite 240

Southfield, MI 48034

248-994-0060

Dated: June 2, 2022

**NOTICE TO STATE COURT AND COUNSEL OF REMOVAL**

THOMAS G. KRALL (P75303)

Attorney for Plaintiff

CLERK OF THE COURT

Oakland County Circuit Court

PLEASE TAKE NOTICE that the above-captioned cause has been removed from the Oakland County Circuit Court, State of Michigan, to the United States District Court for the Eastern District of Michigan, Southern Division, and that attached hereto is a copy of the Notice of Removal which was duly filed on June 2, 2022, in said Court. The case has been assigned to Federal Judge \_\_\_\_\_ and is designated as Civil Action No. 22-11209.

SEGAL McCAMBRIDGE SINGER &  
MAHONEY

By: /s/ Kenneth P. Williams

KENNETH P. WILLIAMS (P55790)

Attorney for Defendants

29100 Northwestern Hwy., Suite 240

Southfield, MI 48034

248-994-0060

Dated: June 2, 2022

**CERTIFICATE OF SERVICE**

I hereby certify that on June 2, 2022, a copy of the foregoing Notice of Removal was filed and served electronically via MiFILE TrueFiling electronic filing system (or, to the extent such service could not be accomplished because the recipients are not yet registered for electronic service, via first-class U.S. Mail, postage prepaid) to the following parties and counsel:

THOMAS G. KRALL (P75303)

Krall Law Offices, PLLC

26640 Harper Ave.

St. Clair Shores, MI 48080

[tom@gokralllaw.com](mailto:tom@gokralllaw.com)

Clerk of the Court

Oakland County Circuit Court

/s/ Kimberly Ollila